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FRANK V. CAMPBELL (1892-1971)
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RALPH E. MENDELL (1927-2006)

April 20, 2009

E-FILED DOCUMENT

Magistrate Judge Joseph C. Spero
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 Golden Gate Avenue
San Francisco, CA 94102

**RE: Toschi v. County of San Mateo, et al.
U.S. District Court, Northern District of California
Case No. C-07-3625 MMC
Settlement Conference: April 23, 2009 at 9:30 a.m.**

Dear Magistrate Judge Spero:

In follow-up to the request made in the Dallimontis' Confidential Settlement Conference Statement delivered to you on April 9, 2009, please consider granting my client Don Dallimonti's request to attend this Thursday's settlement conference by telephone for the following reasons:

Defendant Don Dallimonti is employed as a Sergeant with the San Mateo County Sheriff's Office. He is transitioning to a new assignment and will be in transition training on the date of the settlement conference. This training is essential to his job and very difficult to reschedule or to work around him.

At the last settlement conference with you on September 15, 2008, Mr. Dallimonti was allowed by the Court to attend by telephone on the condition that full settlement authority was vested in Mrs. Dallimonti.

Mr. Dallimonti is hereby requesting that the same accommodation be made for the April 23rd conference. Mrs. Dallimonti will be in attendance, with full authority

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on behalf of herself and her husband to make any and all decisions relating to negotiation and settlement issues. In addition, the Dallimontis are being defended in this case under their homeowners, automobile and umbrella policies with three separate insurance carriers. Representatives with full settlement authority for all three carriers will be present at the settlement conference.

Thank you for considering my client's request.

Very truly yours,

CAMPBELL, WARBURTON, FITZSIMMONS,
SMITH, MENDELL & PASTORE

Lisa Jeong Cummins

LJC/lc

cc: John Houston Scott (via e-filing)
Brian Gearing (via e-filing)
V. Raymond Swope III (via e-filing)
Kenneth C. Ward (via e-filing)
Juliet R. Jonas (via e-filing)

Dated: 4/21/9

